

Colorado Department of Public Health and Environment OPERATING PERMIT

CF&I Steel dba Rocky Mountain Steel Mills Seamless Mill

First Issued: October 1, 1998

AIR POLLUTION CONTROL DIVISION COLORADO OPERATING PERMIT

FACILITY NAME: CF&I Steel dba Rocky

Mountain Steel Mills

- Seamless Mill

FACILITY ID: 1010048

ISSUE DATE: October 1, 1998
RENEWAL DATE: May 1, 2004
EXPIRATION DATE: May 1, 2009

MODIFICATIONS: See Appendix F of Permit

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO: PLANT SITE LOCATION:

CF&I Steel, L.P. CF&I Steel – Seamless Mill

PO Box 316 2100 South Freeway

Pueblo, Colorado 81004 Pueblo, Colorado 81004

Pueblo County

OPERATING PERMIT NUMBER

95OPPB089

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: October 1, 2002

And Additional Information Received: None

Nature of Business: Steel rod and bar production

Primary SIC: 3312

RESPONSIBLE OFFICIAL FACILITY CONTACT PERSON

Name: Robert A. Simon Name: Carl Hund

Title: Manager - Business Processes and Title: Environmental Manager

Environmental

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SUBMITTAL DEADLINES

Semi-Annual Monitoring Period: May 1 – October 31, November 1 – April 30

Semi-Annual Monitoring Report: Due on December 1, 2004 & June 1, 2005 and subsequent

years

Annual Compliance Period: Begins May 1 to April 30

Annual Compliance Certification: Due on June 1, 2005 and subsequent years

NOTE: The Semi-Annual Monitoring reports and the Annual Compliance report must be received at the Division office by 5:00 PM on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports.

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SECTION I - General Activities and Summary

Note To Reader: Appendix E presents the acronyms and abbreviations used in preparing this permit.

1. Permitted Activities

1.1 The entire facility at this site is a steel manufacturing plant. The sources addressed in this operating permit are those related to the portion of the plant dedicated to the production of seamless steel casing and tubes. The process has three (3) furnaces, five (5) milling operations, and three (3) painting operations to make the billets of steel into tubing and casing.

The units are involved with the production:

Rotary Furnace - Steel billets are heated for milling

Quench Furnace - Casing is reheated for better grain structure, then quenched and tempered

Tempering Furnace #1 - Casing reheated to increase strength

Milling Operations - Piercing Mills #1 & #2, plug mill, two (2) reeler mills, sizing mill

Coating and ID Painting - Each shell or tube is painted to preserve the shell.

Steel billets and tubes are painted for QA/QC identification.

The facility is located adjacent to Interstate 25 on the south side of Pueblo, Colorado. The area of Pueblo County in which the plant operates is designated as attainment for all criteria pollutants.

There are no affected states within 50 miles of the plant. The Great Sand Dunes National Monument is a Federal Class I designated area within 100 kilometers of the facility. Florissant Fossil Beds National Monument is a Federal land area within 100 kilometers of the facility. Florissant Fossil Beds National Monument has been designated by the State to have the same sulfur dioxide increment as a Federal Class I area.

- 1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.
- 1.3 This Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Colorado Regulation No. 3, Part C. These Part C procedures

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meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Colorado Regulation No. 3, Part C shall become new applicable requirements for purposes of this Operating Permit and shall survive reissuance. This permit incorporates the applicable requirements (except as noted in Section II) from the following construction permits:

None

1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:**

1.5 All information gathered pursuant to the requirements of this permit is subject to the Record keeping and Reporting requirements listed under Condition 22 of the General Conditions in Section IV of this permit.

2. Prevention of Significant Deterioration/New Source Review

The plant is located in an area designated as attainment for all pollutants. It is categorized as a major stationary source (Potential to Emit > 250 tons per year) for particulate matter smaller than 10 microns (PM_{10}), nitrogen oxides, sulfur dioxide, volatile organic compounds and carbon monoxide. Future modifications at this facility resulting in a significant net emissions increase (see Colorado Regulation No. 3, Part A, Section I.B.37 and 58) for any pollutant as listed in Colorado Regulation No. 3, Part A, Section I.B.58 or a modification which is major by itself will result in the application of the PSD review requirements.

The following Operating Permits are associated with this facility for purposes of determining the applicability of the Prevention of Significant Deterioration regulations:

Rail Mill	95OPPB086	Steelmaking	95OPPB097
Rod/Bar Mill	95OPPB088	Utilities	95OPPB098

3. Accidental Release Program (112(r))

3.1 Based on the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (section 112(r) of the Federal Clean Air Act).

4. Alternative Operating Scenarios

4.1 The permittee shall be allowed to make the following changes to its method of operation without applying for a revision of this permit.

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4.1.1 No separate operating scenarios have been specified.

5. Compliance Assurance Monitoring (CAM)

5.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64 as adopted by reference into Colorado Regulation No. 3, Part C, Section XIV:

None

6. Summary of Emission Units

6.1 The emissions units regulated by this permit are the following:

Emission Unit Number	AIRS Stack Number	Facility Identifier	Description	Size	Pollution Control Device	Construction Permit
53	053	SMRF053	Salem, custom built, natural gas fired rotary furnace	230 MMBtu/Hr	None	Grandfathered
58	058	SMQF058	Celas, custom built, natural gas fired quench furnace	85 MMBtu/Hr	None	Grandfathered
59	059	SMTF059	Rust, custom built, natural gas fired tempering furnace #1	30 MMBtu/Hr	None	Grandfathered
84	084	SMPC084	Open-ended hood for painting of shell and couplings	NA	None	Grandfathered
89	089	SMRO089	Rolling mill lubricant use	NA	None	Grandfathered

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SECTION II - Specific Permit Terms

The information provided in this section includes emission factors for various air pollutants. Wherever an emission factor is provided it shall be used to estimate the emissions for the pollutant or determine the compliance status with the limitation shown. Some of the emission factors are dependent on the fuel analysis and may be modified without reopening this permit.

1. S053 - 230 MMBtu/Hr Salem Rotary Furnace

Natural Gas Fired

Parameter	Permit	Limitations	Compliance	Mon	itoring
	Condition Number		Factors	Method	Interval
Fuel Usage	1.1 1.4			Record keeping and calculation	Annual
PM	1.2 1.4	0.5(FI) ^{-0.26} lb/MMBtu	7.6 lb/MMSCF		
PM ₁₀	1.4		7.6 lb/MMSCF		
Opacity	1.1 1.3	Not to exceed 20 %		Fuel Use Rest	riction
SO ₂	1.4		0.6 lb/MMSCF	Record keeping and	Annual
NOx			280 lb/MMSCF	calculation	
VOC			5.5 lb/MMSCF		
CO			84 lb/MMSCF		

- 1.1 The terms and conditions of this permit are based on the furnace burning only natural gas. The use of any other fuel may require the permit to be re-opened prior to any use of the fuel.
- 1.2 This source shall not emit or cause to be emitted total particulate emissions in excess of the limitation set by the Colorado Regulation No. 1, Section III, A.1.b. where the limit in pounds per million Btu of heat input is calculated from the equation $PE = 0.5(FI)^{-0.26}$, where PE = Particulate Emissions in lbs/MMBtu and PE = PE input in million Btu per hour. In the absence of credible evidence to the contrary, compliance with the limit shall be presumed whenever natural gas is used as fuel.
- 1.3 Opacity of emissions from these units shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed whenever natural gas is used as fuel.
- 1.4 The actual annual estimated emissions shall be calculated using the fuel usage and the emission factor shown. The estimated actual annual emissions of the pollutant shall be calculated for the previous calendar year by April 30 of the new calendar year. The calculations

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shall be kept on file and available for Division review upon request. A revised APEN shall be submitted whenever there is a significant change in the actual annual emissions of this pollutant. (Regulation 3, §A.II.C.2).

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2. S058 - 85 MMBtu/Hr Celas Quench Furnace

Natural Gas Fired

Parameter	Permit	Limitations	Compliance	Monitoring	
	Condition Number		Factors	Method	Interval
Fuel Usage	2.1 2.4			Record keeping and calculation	Annual
PM	2.2 2.4	0.5(FI) ^{-0.26} lb/MMBtu	7.6 lb/MMSCF		
PM_{10}	2.4		7.6 lb/MMSCF		
Opacity	2.1 2.3	Not to exceed 20 %		Fuel Use Rest	riction
SO ₂	2.4		0.6 lb/MMSCF	Record keeping and	Annual
NOx			100 lb/MMSCF	calculation	
VOC			5.5 lb/MMSCF		
СО			84 lb/MMSCF		

- 2.1 The terms and conditions of this permit are based on the furnace burning only natural gas. The use of any other fuel may require the permit to be re-opened prior to any use of the fuel.
- 2.2 This source shall not emit or cause to be emitted total particulate emissions in excess of the limitation set by the Colorado Regulation No. 1, Section III, A.1.b. where the limit in pounds per million Btu of heat input is calculated from the equation $PE = 0.5(FI)^{-0.26}$, where PE = Particulate Emissions in lbs/MMBtu and FI = Fuel input in million Btu per hour. In the absence of credible evidence to the contrary, compliance with the limit shall be presumed whenever natural gas is used as fuel.
- 2.3 Opacity of emissions from these units shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed whenever natural gas is used as fuel.
- 2.4 The actual annual estimated emissions shall be calculated using the fuel usage and the emission factor shown. The estimated actual annual emissions of the pollutant shall be calculated for the previous calendar year by April 30 of the new calendar year. The calculations shall be kept on file and available for Division review upon request. A revised APEN shall be submitted whenever there is a significant change in the actual annual emissions of this pollutant. (Regulation 3, §A.II.C.2).

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3. S059 - 30 MMBtu/Hr Rust Tempering Furnace #1

Natural Gas Fired

Parameter	Permit	Limitations	Compliance	Monitoring	
	Condition Number		Factors	Method	Interval
Fuel Usage	3.1 3.4			Record keeping and calculation	Annual
PM	3.2 3.4	0.5(FI) ^{-0.26} lb/MMBtu	7.6 lb/MMSCF		
PM ₁₀	3.4		7.6 lb/MMSCF		
Opacity	3.1 3.3	Not to exceed 20 %		Fuel Use Rest	riction
SO ₂	3.4		0.6 lb/MMSCF	Record keeping and	Annual
NOx			100 lb/MMSCF	calculation	
VOC			5.5 lb/MMSCF		
СО			84 lb/MMSCF		

- 3.1 The terms and conditions of this permit are based on the furnace burning only natural gas. The use of any other fuel may require the permit to be re-opened prior to any use of the fuel.
- 3.2 This source shall not emit or cause to be emitted total particulate emissions in excess of the limitation set by the Colorado Regulation No. 1, Section III, A.1.b. where the limit in pounds per million Btu of heat input is calculated from the equation $PE = 0.5(FI)^{-0.26}$, where PE = Particulate Emissions in lbs/MMBtu and FI = Fuel input in million Btu per hour. In the absence of credible evidence to the contrary, compliance with the limit shall be presumed whenever natural gas is used as fuel.
- 3.3 Opacity of emissions from these units shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed whenever natural gas is used as fuel.
- 3.4 The actual annual estimated emissions shall be calculated using the fuel usage and the emission factor shown. The estimated actual annual emissions of the pollutant shall be calculated for the previous calendar year by April 30 of the new calendar year. The calculations shall be kept on file and available for Division review upon request. A revised APEN shall be submitted whenever there is a significant change in the actual annual emissions of this pollutant. (Regulation 3, §A.II.C.2).

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4. **S085 - Paint Use**

Parameter	Permit	Limitations	Compliance	M	Ionitoring
	Condition Number		Factors	Method	Interval
Consumption	4.1			Records of paint, ink, thinner, solvent, paint remover, cleanup material and similar material consumption	Monthly
Opacity	4.2	Not to exceed 20 %		Material Ro	estriction
VOC	4.3		VOC content of material used	Record keeping and calculation	Monthly

- 4.1 The emissions from this source are from the application of a preservative coating to the shells and quality control/quality assurance paint codes applied to the billets and the tubes. The quantities of materials consumed for the calendar month shall be calculated within thirty (30) days of the end of the month. As a minimum the records shall include the name brand of the material used, the Material Safety Data Sheet (MSDS), the weight per cent of volatile organic compounds, the weight per cent of any hazardous air pollutants and the density of the material or the pounds per gallon of the volatile organic compound component and any hazardous air pollutants, and a summary total of the quantity of material consumed, the volatile organic compound emissions and the hazardous air pollutant emissions for the month. The information shall be kept on-site and available for Division review upon requested.
 - 4.1.1 MSDS information shall be updated on a calendar-quarter basis, and all such updates shall be subject to the Record Keeping and Reporting Requirements provisions of Condition 22 of the General Conditions of Section IV of this Operating Permit.
 - 4.1.2 For all products currently in use, if an updated MSDS identifies an increase in any VOC or HAP from the current MSDS on file for a particular product the new VOC/HAP values are to be applied to all the calendar months in the calendar quarter in which the new information was identified and all related and subsequent rolling twelve-month emissions calculations.
 - 4.1.3 For new products put into use at any time within a calendar quarter, the VOC/HAP values identified in the new products MSDS information are to be applied to all the calendar months in the calendar quarter in which the use began and all related and subsequent rolling twelve-month emissions calculations.

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- 4.2 Opacity of emissions from these units shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed for the materials used.
- 4.3 The estimated actual emissions for each calendar month shall be calculated within thirty (30) calendar days of the end of the month. The estimated actual annual emissions of the pollutant shall be calculated for the previous calendar year by April 30 of the new calendar year. The calculations shall be kept on file and available for Division review upon request. A revised APEN shall be submitted whenever there is a significant change in the actual annual emissions of this pollutant. (Colorado Regulation 3, §A.II.C.2).

The emission estimates may be reduced by recognition of the recovery of the painting materials in the waste handling practices. Records shall be kept to identify the dates and the amounts of the painting materials recovered, or moved to off-site disposal. The records shall be kept on-site and made available to the Division for review upon request. Any waste recovery recognized in the reduction of an emission estimate shall be plainly, clearly and permanently recorded

4.4 Evaporation or spillage shall not be used for disposal of volatile organic compounds unless Reasonably Available Control Technology (RACT) is utilized. (Colorado Regulation No. 7, Section V)

5. Insignificant Activities

5.1 The permittee shall at least annually inspect and determine whether the categorically insignificant activities are in compliance with all applicable requirements. The permittee shall record in a log the results of this inspection.

6. Emission Calculation Changes

- 6.1 Emissions factors listed in this permit as specific values are fixed until such time as the permit is re-opened for any reason. No specific emission factor value is identified for the volatile organic compound (VOC) emissions from paint, associated painting materials and the rolling mill lubricant. The VOC emissions for these materials shall be estimated from the information provided in the Material Safety Data Sheet (MSDS) for the specific material used and the quantity of the material used.
- 6.2 When the permit is reopened, the emissions factors may be evaluated for any changes. When emission factors are found to have changed, the impact of the new emissions will be evaluated.

7. Reporting

All reports and certifications shall be submitted to the Division by the end of the calendar month immediately following the end of the reporting period, unless a different response time is identified elsewhere in this permit. The report shall be in a format acceptable to the Division.

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SECTION III - Permit Shield

Colorado Regulation No. 3, 5 CCR 1001-5, Part A, §I.B.44; Part C, §§V.C.1.b. & V.D., XIII.B; §§25-7-111(2)(I), 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based upon information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modifications or reconstruction on which construction commenced prior to permit issuance.

Emission Unit Description &Number	Applicable Requirement	Justification
53 - Salem rotary furnace 58 - Celas quench furnace 59 - Tempering furnace #1	NSPS Subpart Db, Regulation No. 6 §II	The sources existed prior to June 19, 1984.
53 - Salem rotary furnace 58 - Celas quench furnace	Regulation No. 8, Part A and C	No National Emission Standards for Hazardous Air Pollutants (NESHAPS) has been established which applies to this source.
84 - Paint Use	Regulation No. 7, except Section V	Pueblo is an attainment area for ozone and only Section V of Colorado Regulation No. 7 applies
Plant-wide	Title V, Section IV, General Condition 29, Wood burning Stoves and Appliances	The permittee does not advertise, sell, install or use wood burning stoves or appliances.

2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

- 2.1 The provisions of §\$25-7-112 and 25-7-113, C.R.S., or \$303 of the federal act, concerning enforcement in cases of emergency;
- 2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 2.3 The applicable requirements of the federal Acid Rain Program, consistent with §408(a) of the federal act;

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- 2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to §25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to §114 of the federal act;
- 2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, §XIII.
- 2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

3. Streamlined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

Permit Condition	Streamlined (Subsumed) Requirements
NONE	

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SECTION IV - General Permit Conditions (Ver 01/07/03)

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, § I.B.36.a. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.&e. and V.C.17.

- a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless the Division in the Operating Permit specifies in the applicable requirement or a more frequent period.
- c. Compliance certifications shall contain:
 - (i) the identification of each permit term and condition that is the basis of the certification;
 - (ii) the compliance status of the source;
 - (iii) whether compliance was continuous or intermittent;
 - (iv) the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - (v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.
- d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.
- e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II, E., II.F., II.I, and II.J.

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

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b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

- (i) The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations.
- (ii) Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:
 - A. specifies or approves, in specific cases, the use of a test method with minor changes in methodology;
 - B. approves the use of an equivalent method;
 - approves the use of an alternative method the results of which the Division
 has determined to be adequate for indicating where a specific source is in
 compliance; or
 - D. waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7 1973, and pursuant to regulations promulgated by the Commission.
- (iii) Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.
- (iv) The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.
- (v) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:
 - A. Sampling ports adequate for test methods applicable to such facility,
 - B. Safe sampling platform(s),
 - C. Safe access to sampling platform(s).
 - D. Utilities for sampling and testing equipment.
- (vi) Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in

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the applicable standard. For the purpose of determining compliance with an applicable standard the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two (2) other runs.

- (vii) Criteria shall be established by the Division for the implementation of the requirements specified by Section II.D. of the Common Provisions Regulations.
- (viii) Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Upset Conditions and Breakdowns

Upset conditions, as defined, shall not be deemed to be in violation of the Colorado regulations, provided that the Division is notified as soon as possible, but no later than two (2) hours after the start of the next working day, followed by a written notice to the Division explaining the cause of the occurrence and that proper action has been or is being taken to correct the conditions causing the violation and to prevent such excess emission in the future.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

- g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown
 - (i) An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:
 - A. The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;
 - B. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;

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- C. If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- D. The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;
- E. All possible steps were taken to minimize the impact of excess emissions on ambient air quality;
- F. All emissions monitoring systems were kept in operation (if at all possible);
- G. The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,
- H. At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.
- (ii) The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.
- (iii) The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.
- (iv) The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards (NSPS) or national emissions standards for hazardous air pollutants (NESHAPS), any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.
- (v) Affirmative Defense Determination: In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment.

4. Compliance Requirements

Regulation No. 3 and 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d., § 25-7-122.1(2), C.R.S.

a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either

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statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.

- b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.
- d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.
- e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.
- f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:
 - dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved;
 - (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, § VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

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- a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. the permitted facility was at the time being properly operated;
- c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. Emission Standards for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, "emission standards for asbestos."

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

8. Fee Payment

C.R.S §§ 25-7-114.1(6) and 25-7-114.7

- a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.
- b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.
- c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, § III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, § III.D.1.

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10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

- a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;
- b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;
- d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §§ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.11.d.

This permit does not convey any property rights of any sort, or any exclusive privilege.

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the

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Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit . The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, §§ I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, §§ I.-II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.6., IV.C., V.C.2.

- a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.
- b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, § II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Unless required by a permit term or condition to report deviations on a more frequent basis, "prompt" reporting shall entail submission of reports of deviations from permit requirements every six (6) months in accordance with paragraph 21.d. below. "Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

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22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, § II.; Part C, §§ V.C.6., V.C.7.

- a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:
 - (i) date, place as defined in the Operating Permit, and time of sampling or measurements;
 - (ii) date(s) on which analyses were performed;
 - (iii) the company or entity that performed the analysis;
 - (iv) the analytical techniques or methods used;
 - (v) the results of such analysis; and
 - (vi) the operating conditions at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.
- c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.
- d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the enhanced monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.
- The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, e. modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs. Annual fees are based on the most recent APEN on file with the Division.

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23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, § XIII.

- a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.
- b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.
- c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.
- d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

25. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

26. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

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27. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, §§ V.C.1.b. & 8

- a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.
- b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

28. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, § II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

29. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, §§ III & V.

a. For sources located in an ozone non-attainment area or the Denver Metro Attainment Maintenance Area, all storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

- b. Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.
- c. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.
- d. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Section VI, shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

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30. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

END OF PERMIT REQUIREMENTS

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OPERATING PERMIT APPENDICES

- A INSPECTION INFORMATION
- **B COMPLIANCE MONITORING REPORT FORMAT**
- C COMPLIANCE CERTIFICATION REPORT FORMAT
- **D-NOTIFICATION ADDRESSES**
- **E-PERMIT ACRONYMS**
- F PERMIT MODIFICATIONS
- **G CALCULATIONS**

*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

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APPENDIX A - Inspection Information

Directions to Plant:

The plant site is located at 2100 South Freeway in Pueblo. The entrance is near I-25 and Indiana.

Safety Equipment Required:

Eye Protection Hard Hat Safety Shoes Hearing Protection Must be accompanied by CF&I Steel, L.P. employee

Plant Plot Plan:

Figure 1 shows the plot plan as submitted on October 1, 2002, with the source's Title V Operating Permit Renewal Application.

List of Insignificant Activities:

The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

Each individual piece of fuel burning equipment, other than smokehouse generators and internal combustion engines, which uses gaseous fuel, and which has a design rate less than or equal to 5 million Btu per hour. (See definition of fuel burning equipment, Common Provisions Regulation).

Chemical storage areas where chemicals are stored in closed containers, and where total storage capacity does not exceed 5000 gallons. This exemption applies solely to storage of such chemicals. This exemption does not apply to transfer of chemicals from, to, or between such containers.

Each individual piece of fuel burning equipment which uses gaseous fuel, and which has a design rate less than or equal to 10 million Btu per hour, and which is used solely for heating buildings for personal comfort.

Air pollution emission units, operations or activities with emissions less than the appropriate de minimis reporting level.

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Specific Sources:

Fuel Burning Equipment:

There are several miscellaneous heaters located in and around the Seamless Mill. The heaters are all less than 5 MMBtu/Hr.

Lubricating Oil Storage

Several lubricating and used oil storage tanks each with less than 40,000 gallons capacity.

Emissions Less Than APEN Reporting Threshold

Lubricating Oil Use

Estimated emissions as particulates in aerosol mist estimated as less than two tons per year. MSDS does not identify any volatile organic compounds in the lubricant.

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APPENDIX B Monitoring and Permit Deviation Reporting

with codes ver 2/1/01

Reporting Requirements and Definitions.

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

- (A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);
- (B) fails to notify or report as required under the Act; or
- (C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits. All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the record keeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

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Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to upset conditions and malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "upset" shall refer to both emergency conditions and upsets. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due every six months unless otherwise noted in the permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

- (1) A situation where emissions exceed an emission limitation or standard contained in the permit;
- (2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;
- (3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,
- (4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = Standard: When the requirement is an emission limit or standard 2 = Process:When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring **4** = **Test**: When the requirement is testing

5 = Maintenance: When required maintenance is not performed When the requirement is record keeping 6 = Record:**7 = Report:** When the requirement is reporting

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8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part

64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;
- The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each permit term and condition during the certification period and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;
- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.¹
- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

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Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

¹ For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event. Further, periods of excess emissions during startup, shutdown and malfunction may not be found to be a violation of an emission limitation or standard where the source adequately shows that any potential deviations as a result of these infrequent periods were minimized to the extent practicable and could not have been prevented through careful planning, design, or were unavoidable to prevent loss of life, personal injury, or severe property damage.

Startup, Shutdown, Malfunctions, Emergencies, and Upsets

Understanding the application of Startup, Shutdown, Malfunctions, Emergency provisions, and the Upset provisions is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergencies and Upsets

Under the Emergency provisions of Part 70 and the Upset provisions of the State regulations, certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

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Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Upset means an unpredictable failure of air pollution control or process equipment which results in the violation of emission control regulations and which is not due to poor maintenance, improper or careless operations, or is otherwise preventable through exercise of reasonable care.

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Monitoring and Permit Deviation Report - Part I

- 1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division on a semi-annual basis unless otherwise noted in the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.
- 2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or upset or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EERs or Upsets) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME:	CF&I Steel, L.P RMSM – Seamless Mill
OPERATING PERMIT NO:	95OPPB089
REPORTING PERIOD:	(see first page of the permit for specific reporting period and dates)

Operating Permit Unit		Deviation During	ons noted Period? ¹	Deviation Code ²		ncy Condition ring Period?
ID	Unit Description	YES	NO		YES	NO
53	Salem rotary furnace					
58	Celas quench furnace					
59	Rust tempering furnace #1					
84	Paint Use					
General Conditions ⁵						
Insignificant Activities ⁵						

¹ See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

1 = Standard: When the requirement is an emission limit or standard 2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring 4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is record keeping
 7 = Report: When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

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²Use the following entries, as appropriate.

Monitoring and Permit Deviation Report - Part II

FACILITY NAME: [Company Name OPERATING PERMIT NO: [Permit # REPORTING PERIOD:	e] - [Facility Name]		
Is the deviation being claimed as an:	Emergency	Upset	N/A
(For NSPS/MACT) Did the deviation occur du	nring: Startup Malfunction	Sh Normal O	utdown peration
OPERATING PERMIT UNIT IDENTIFICAT	TION:		
Operating Permit Condition Number Citation			
Explanation of Period of Deviation			
Duration (start/stop date & time)			
Action Taken to Correct the Problem			
Measures Taken to Prevent a Reoccurrence of	the Problem		
Dates of Upsets/Emergencies Reported (if app	<u>licable)</u>		
Deviation Code	Division Cod	e QA:	

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SEE EXAMPLE ON THE NEXT PAGE

EXAMPLE

FACILITY NAME: OPERATING PERMIT NO:	Acme Corp. 96OPZZXXX			
REPORTING PERIOD:	1/1/96 - 6/30/96	ó		
Is the deviation being claimed	d as an:	Emergency	Upset XX	N/A
(For NSPS/MACT) Did the d	eviation occur d	uring: Startup Malfunction	Shut Normal Ope	down
OPERATING PERMIT UNI	Γ IDENTIFICA	ΓΙΟN:		
Asphalt Plant with a Scrubber	r for Particulate	Control - Unit XXX		
Operating Permit Condition N	Number Citation			
Section II, Condition 3.1 - Op	pacity Limitation	1		
Explanation of Period of Dev	<u>iation</u>			
Slurry Line Feed Plugged				
<u>Duration</u>				
START- 1730 4/10/96 END- 1800 4/10/96				
Action Taken to Correct the I	<u>Problem</u>			
Line Blown Out				
Measures Taken to Prevent R	eoccurrence of t	he Problem		
Replaced Line Filter				
Dates of Upsets/Emergencies	Reported (if ap	olicable)		
4/10/96 to S. Busch, APCD				
Deviation Code		Division Cod	le QA:	

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Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

SOURCE NAME:	CF&I Steel, L.P RMSM – Seamless Mill
FACILITY IDENTIFICATION NUMBER	: 1010048
PERMIT NUMBER:	95OPPB089
REPORTING PERIOD	(see first page of the permit for specific reporting period and dates)
	Annual Deviation Reports must be certified by a Regulation No. 3, Part A, Section I.B.54. This signed with the documents being submitted.
STATEMENT OF COMPLETENESS	
9	ubmitted in its entirety and, based on information airy, I certify that the statements and information arate and complete.
Sub-Section 18-1-501(6), C.R.S., makes	state that any person who knowingly, as defined in any false material statement, representation, or ty of a misdemeanor and may be punished in ection 25-7 122.1, C.R.S.
Printed or Typed Name	Title
Signature of Responsible Offic	ial Date Signed
Note: Deviation reports shall be submitted to the No copies need be sent to the U.S. EPA.	e Division at the address given in Appendix D of this permit.

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APPENDIX C Required Format for Annual Compliance Certification Reports

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: OPERATING PERMIT NO: REPORTING PERIOD:	CF&I Steel, L.P RMSM – Seamless Mill 95OPPB089
I. Facility Status	
	riod, this source was in compliance with ALL terms and conditions contained in on of which is identified and included by this reference. The method(s) used to ethod(s) specified in the Permit.
all terms and conditions contained reference, during the entire reportir	f the deviations identified in the table below, this source was in compliance with in the Permit, each term and condition of which is identified and included by this ng period. The method used to determine compliance for each term and condition nit, unless otherwise indicated and described in the deviation report(s). Note that olations.

Operating Permit Unit			Deviations Reported ¹		oring od per nit? ²	Was compliance continuous or intermittent? ³		Was Data Continuous? ⁴	
110		Previous	Current	Yes	No	Continuous	Intermittent	Yes	No
53	Salem rotary furnace								
58	Celas quench furnace								
59	Rust tempering furnace #1								
84	Paint Use								
General Conditions ⁵									
Insignificant Activities ⁵									

¹ If deviations were noted in the previous deviation report (i.e. for the first six months of the annual reporting period), put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

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² Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

³ Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data

sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and record keeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and record keeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

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⁴ Note whether the method(s) used to determine the compliance status with each term and condition provided continuous or intermittent data.

⁵ Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

	Stata	s for Accidental Release Prevention Prog		
	A.	This facility is subject Accidental Release Prevention Progra Act)		
	B.	If subject: The facility the requirements of section 112(r).	is is not in	compliance with all
		1. A Risk Management Plan to the appropriate authority an required date.		
III.	Certi	fication		
form	ed afte	ewed this certification in its entirety r reasonable inquiry, I certify that the		
		ation are true, accurate and complete.		
§18-2 this	1-501(6 docum	that the Colorado Statutes state that a), C.R.S., makes any false material statent is guilty of a misdemeanor and not §25-7 122.1, C.R.S.	ement, representation	ingly, as defined in , or certification in
§18-2 this	1-501(6 docum	that the Colorado Statutes state that a), C.R.S., makes any false material state ent is guilty of a misdemeanor and n	ement, representation	ingly, as defined in , or certification in

NOTE: All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

APPENDIX D Notification Addresses

1. Air Pollution Control Division

Colorado Department of Public Health and Environment Air Pollution Control Division Operating Permits Unit APCD-SS-B1 4300 Cherry Creek Drive S. Denver, CO 80246-1530

ATTN: Jim King

2. United States Environmental Protection Agency

Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice Mail Code 8ENF-T U.S. Environmental Protection Agency, Region VIII 999 18th Street, Suite 300 Denver, CO 80202-2466

Permit Modifications, Off Permit Changes:

Office of Partnerships and Regulatory Assistance Air and Radiation Programs, 8P-AR U.S. Environmental Protection Agency, Region VIII 999 18th Street, Suite 300 Denver, CO 80202-2466

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APPENDIX E Permit Acronyms

Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor

CF - Cubic Feet (SCF = Standard Cubic Feet)

CFR - Code of Federal Regulations

CO - Carbon Monoxide

COM - Continuous Opacity Monitor CRS - Colorado Revised Statute

EF - Emission Factor

EPA - Environmental Protection Agency
FI - Fuel Input Rate in Lbs/MMBtu

FR - Federal Register

G - Grams Gal - Gallon

GPM - Gallons per Minute HAPs - Hazardous Air Pollutants

HP - Horsepower

HP-HR - Horsepower Hour (G/HP-HR = Grams per Horsepower Hour)

LAER - Lowest Achievable Emission Rate

LBS - Pounds
M - Thousand
MM - Million

MMscf - Million Standard Cubic Feet

MMscfd - Million Standard Cubic Feet per Day

N/A or NA - Not Applicable NOx - Nitrogen Oxides

NESHAP - National Emission Standards for Hazardous Air Pollutants

NSPS - New Source Performance Standards P - Process Weight Rate in Tons/Hr

PE - Particulate Emissions PM - Particulate Matter

PM₁₀ - Particulate Matter Under 10 Microns

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PSD -	Prevention of Significant Deterioration
PTE -	Potential To Emit
RACT -	Reasonably Available Control Technology
SCC -	Source Classification Code
SCF -	Standard Cubic Feet
SIC -	Standard Industrial Classification
SO_2 -	Sulfur Dioxide
TPY -	Tons Per Year
TSP -	Total Suspended Particulate
VOC -	Volatile Organic Compounds

APPENDIX F Permit Modifications

DATE OF REVISION	TYPE OF REVISION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION

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